

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION

Matthew G. Friederichs, M.D.,

Plaintiff,

Case No. 3:22-cv-00008-PDW-ARS

vs.

Sanford Health,

Defendant.

REMOTE VIDEOTAPED DEPOSITION OF

Brittany Sachdeva

Taken February 20, 2023

Commencing at 1:34 p.m.

REPORTED BY: CHRISTA A. REESER, RPR, CRR, CRC

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| <p style="text-align: right;">Page 2</p> <p>1 Remote videotaped deposition of Brittany 2 Sachdeva taken on Monday, February 20, 2023, commencing 3 at 1:34 p.m., before Christa A. Reeser, Registered 4 Professional Reporter, Certified Realtime Reporter, 5 Certified Realtime Captioner, and Notary Public of and 6 for the State of Minnesota. 7 8 ***** 9 10 APPEARANCES 11 12 ON BEHALF OF THE PLAINTIFF: 13 Brandon J. Wheeler, Esq. (via Zoom) 14 FELHABER LARSON 15 220 South Sixth Street, Suite 2200 16 Minneapolis, Minnesota 55402-4504 17 612-339-6321 18 bwheeler@felhaber.com 19 20 21 22 (APPEARANCES continued on next page) 23 24 25</p> | <p style="text-align: right;">Page 4</p> <p>1 INDEX 2 3 WITNESS: Brittany Sachdeva PAGE 4 Examination by Mr. Wheeler..... 6 5 6 7 8 EXHIBITS MARKED PAGE 9 Exhibit 49 - 1/21/2022 - 1/23/2022 58 10 E-mail Exchange Between 11 Darren Huber, James Volk, 12 Brittany Sachdeva, Michael 13 Erickson 14 Exhibit 50 - 2/18/2022 E-mail From 60 15 Emily Mangin 16 Exhibit 51 - 4/14/2022 E-mail From 63 17 Darla Dobberstein w/ 18 forwarded e-mail from 19 Matthew Friederichs 20 21 22 23 24 25</p> |
| <p style="text-align: right;">Page 3</p> <p>1 APPEARANCES (continued) 2 3 ON BEHALF OF THE DEFENDANT: 4 Shawn M. Raiter, Esq. (via Zoom) 5 LARSON KING, LLP 6 2800 Wells Fargo Place 7 30 East Seventh Street 8 St. Paul, Minnesota 55101 9 651-312-6500 10 sraiter@larsonking.com 11 12 13 14 15 16 ALSO PRESENT: Kraig Hildahl, Videographer 17 18 19 20 21 22 23 24 25</p> | <p style="text-align: right;">Page 5</p> <p>1 2 THE VIDEOGRAPHER: We are going on the 3 record at 1:34 p.m. Central Time on February 20, 2023. 4 This is media unit number one of the video recorded 5 deposition of Brittany Sachdeva -- Sachdeva taken in the 6 matter of Matthew G. Friederichs, M.D. v. Sanford 7 Health filed in the U.S. District Court for the 8 District of North Dakota, Eastern Division, Case Number 9 3:22-CV-00008-PDW-ARS. 10 This deposition is being conducted remotely 11 using virtual technology. My name is Kraig Hildahl, 12 and I'm with Veritext Legal Solutions, and I'm the 13 videographer. The court reporter today is Christa 14 Reeser, also with Veritext. 15 Will counsel please identify themselves for the 16 record? 17 MR. WHEELER: Good afternoon. Brandon 18 Wheeler on behalf of plaintiff. 19 MR. RAITER: Shawn Raiter from Larson King 20 on behalf of Sanford Health and the witness. 21 THE VIDEOGRAPHER: Will the court reporter 22 please swear in the witness and then we can proceed? 23 24 BRITTANY SACHDEVA, 25 duly sworn, was examined and testifies as follows:</p> |

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| <p style="text-align: right;">Page 6</p> <p>1</p> <p>2 EXAMINATION</p> <p>3 BY MR. WHEELER:</p> <p>4 Q. Good afternoon. Could you please state your</p> <p>5 name for the record?</p> <p>6 A. Brittany Sachdeva.</p> <p>7 Q. Sachdeva. I'm going to do my best to pronounce</p> <p>8 that correctly, but if I get it wrong, don't be shy and</p> <p>9 let me know and I'll do my best to -- to correct it.</p> <p>10 Ms. Sachdeva, have you ever had your deposition</p> <p>11 taken before?</p> <p>12 A. Yes.</p> <p>13 Q. And how many times have you had your deposition</p> <p>14 taken?</p> <p>15 A. I believe this is my fourth time.</p> <p>16 Q. When, going back in time, was the most recent</p> <p>17 one you had?</p> <p>18 A. I think around five -- five to six years ago.</p> <p>19 Q. And then what about then going back further in</p> <p>20 time from that to the, I guess, the second one?</p> <p>21 A. Oh, I don't have the specific dates, but</p> <p>22 it's -- I mean, it's been all within my 20-year career,</p> <p>23 most recent being five to six years ago.</p> <p>24 Q. Okay. And I'll -- I'll ask just a few more</p> <p>25 questions about that in a moment. But it's been long</p> | <p style="text-align: right;">Page 8</p> <p>1 possibility of a slight lag or delay. And relating to</p> <p>2 that, if for any reason some technical issues come up,</p> <p>3 you know, just let us know. We can go off the record,</p> <p>4 we can figure it out. Does that make sense?</p> <p>5 A. Yes.</p> <p>6 Q. Perfect.</p> <p>7 So I want to return back to what we were</p> <p>8 talking about a moment ago about prior depositions.</p> <p>9 And five to six years ago, did that lawsuit have</p> <p>10 something to do with your employment at Sanford Health</p> <p>11 or something else?</p> <p>12 A. No.</p> <p>13 Q. So not Sanford? Sorry.</p> <p>14 A. Not Sanford.</p> <p>15 Q. Okay. All right.</p> <p>16 Was it a business-related matter? A family,</p> <p>17 personal thing? What -- what's the general nature of</p> <p>18 it?</p> <p>19 A. Business.</p> <p>20 Q. Okay. And then what about going back further</p> <p>21 in time to the earlier two depositions, were those with</p> <p>22 Sanford or something else?</p> <p>23 A. No. Something else.</p> <p>24 Q. And for the something else, in any of those,</p> <p>25 are those -- any of those three relating to a job you</p> |
| <p style="text-align: right;">Page 7</p> <p>1 enough, I assume you didn't do any of your depositions</p> <p>2 via Zoom because I'm not sure Zoom was a thing five to</p> <p>3 six years ago. So I'll just kind of give you a couple</p> <p>4 instructions here at the beginning to try and make this</p> <p>5 go as smoothly as possible.</p> <p>6 As you may recall from your prior depositions,</p> <p>7 everything that I'm saying right now, the questions I'm</p> <p>8 going to be asking you, the objections, if any, by</p> <p>9 Mr. Raiter, and then your answers to my questions are</p> <p>10 all being recorded by the court reporter, which means</p> <p>11 it's very important that multiple people not speak at</p> <p>12 the same time. So I will do my absolute best to not</p> <p>13 start a new question if you're still in the middle of</p> <p>14 answering my question. And likewise, I would ask that</p> <p>15 you wait until I finish giving my question before you</p> <p>16 start answering. Does that make sense?</p> <p>17 A. Yep.</p> <p>18 Q. All right. And answers do need to be audible</p> <p>19 answers. Shaking your head up and down, side to side</p> <p>20 doesn't really work, nor does the uh-huhs and the</p> <p>21 uh-uhs. It would need to be "yes," "no," something</p> <p>22 along those lines. Does that make sense?</p> <p>23 A. Yes.</p> <p>24 Q. All right. And those are particularly</p> <p>25 important with Zoom because there's always a</p> | <p style="text-align: right;">Page 9</p> <p>1 had or, again, something else?</p> <p>2 A. Work.</p> <p>3 Q. So -- all right. We'll -- we'll try and figure</p> <p>4 this out as we go through it because you've been a</p> <p>5 professional for a while. So let's just start at the</p> <p>6 very beginning. Where did you go to college?</p> <p>7 A. I went to the University of South Dakota as</p> <p>8 well as Walden University in Minneapolis.</p> <p>9 Q. Did you graduate from the University of South</p> <p>10 Dakota?</p> <p>11 A. I did.</p> <p>12 Q. What year was that?</p> <p>13 A. Oh, man. 2008.</p> <p>14 Q. And was that a bachelor's degree you received?</p> <p>15 A. That was an associates.</p> <p>16 Q. Associates. And what was your degree in?</p> <p>17 A. Nursing.</p> <p>18 Q. And were you a registered nurse or something</p> <p>19 else?</p> <p>20 A. I was a registered nurse.</p> <p>21 Q. And then did you go back and obtain a</p> <p>22 bachelor's degree at any point?</p> <p>23 A. Yes.</p> <p>24 Q. When was that?</p> <p>25 A. I received a master's degree in nursing in 2011</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 or '12. '12 probably. 2012.</p> <p>2 Q. And I won't pretend to know the answers to many</p> <p>3 of these questions, so I'll ask what might sound like</p> <p>4 dumb questions from time to time. And I should also</p> <p>5 say if you don't understand any question that I ask</p> <p>6 you, just please let me know and I'll ask a better</p> <p>7 question.</p> <p>8 You -- you don't need a bachelor's degree to</p> <p>9 get a master's degree in nursing?</p> <p>10 A. You get your bachelors as you go.</p> <p>11 Q. Got it.</p> <p>12 A. So I did a bridge program.</p> <p>13 Q. Understood. Okay.</p> <p>14 And were you -- after you got your associate's</p> <p>15 degree, were you working or were you going to school</p> <p>16 first time -- or full time, rather?</p> <p>17 A. I was going to school full time and working</p> <p>18 full time.</p> <p>19 Q. Where were you working at that point in time?</p> <p>20 A. Initially, I was working at the VA Medical</p> <p>21 Center in Sioux Falls.</p> <p>22 Q. And was your masters in nursing also from the</p> <p>23 University of South Dakota?</p> <p>24 A. No, from Walden University in Minneapolis.</p> <p>25 Q. Okay. And were you attending in -- online, in</p> | <p style="text-align: right;">Page 12</p> <p>1 Q. Is that just -- is there just one big hospital</p> <p>2 complex there in Sioux Falls, or is there multiple</p> <p>3 hospitals?</p> <p>4 A. There's just one inpatient Sanford facility in</p> <p>5 Sioux Falls.</p> <p>6 Q. Okay. And that's the one you were working in?</p> <p>7 A. Correct.</p> <p>8 Q. All right. And how long were you a staff RN at</p> <p>9 the ER?</p> <p>10 A. Boy, I did -- I should have gotten my resume</p> <p>11 out. These are -- these are soft dates. I --</p> <p>12 Q. No, that's okay.</p> <p>13 A. So to the best of my ability, I -- about 2011,</p> <p>14 I transitioned from my staff role into a quality</p> <p>15 position at Sanford.</p> <p>16 Q. You said quality position?</p> <p>17 A. Yeah.</p> <p>18 Q. What does that mean?</p> <p>19 A. I was an accreditation and quality specialist,</p> <p>20 which required an RN degree but did not have patient</p> <p>21 care.</p> <p>22 Q. And can you just describe for me a little bit</p> <p>23 what those sorts of job duties were in that role?</p> <p>24 A. In that role, I was responsible for getting the</p> <p>25 clinics in the Sioux Falls market accredited by Joint</p> |
| <p style="text-align: right;">Page 11</p> <p>1 person, or a hybrid?</p> <p>2 A. Hybrid.</p> <p>3 Q. Okay. And how long did you work at the VA</p> <p>4 Medical Center for?</p> <p>5 A. I believe that I worked at the VA for about</p> <p>6 three years. My tenure at the VA preceded me getting</p> <p>7 my RN degree because I was an LPN first.</p> <p>8 Q. Where did you work after the VA?</p> <p>9 A. I worked in Kansas City at Truman Medical</p> <p>10 Center.</p> <p>11 Q. I'm sorry, was that Truman?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. All right. At some point you joined</p> <p>14 some Sanford Health organization, right?</p> <p>15 A. Correct.</p> <p>16 Q. And what year was -- what year did you join</p> <p>17 Sanford?</p> <p>18 A. I joined Sanford in 2009.</p> <p>19 Q. All right. And so then you were going to</p> <p>20 school for your bridge slash masters while you were</p> <p>21 working at Sanford?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. What was your first position at Sanford?</p> <p>24 A. I was a staff RN in the emergency room in Sioux</p> <p>25 Falls.</p> | <p style="text-align: right;">Page 13</p> <p>1 Commission, next or no regulating -- you know,</p> <p>2 regulatory body.</p> <p>3 Q. So it sounds like at that point you weren't</p> <p>4 really doing any direct patient care anymore?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. And I'll get into some of your other</p> <p>7 positions that you had subsequent to that, but did you</p> <p>8 at any point ever return to a patient care sort of</p> <p>9 role?</p> <p>10 A. No, I did not.</p> <p>11 Q. Okay. And is it -- you know, you -- you tell</p> <p>12 me if words I'm using are not the best words and</p> <p>13 there's better words to use, but is it just safe to</p> <p>14 describe what you were doing then as more the</p> <p>15 administrative side of things, or is there a better</p> <p>16 word?</p> <p>17 A. Correct.</p> <p>18 Q. Administrative?</p> <p>19 A. Administrative.</p> <p>20 Q. Okay. So at some point, you moved up to Fargo,</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. When was that?</p> <p>24 A. October of 2017.</p> <p>25 Q. All right. So there was probably some other</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 positions then that we haven't talked about in Sanford. 2 And before you moved to Fargo, what was, I guess, the 3 -- the last position you held down in Sioux Falls? 4 A. I was the senior executive director of 5 ambulatory nursing for the system. 6 Q. And when you say "the system," that is more 7 than just Sioux Falls? 8 A. Correct. It was a corporate position. It was 9 for all ambulatory locations in the four markets. 10 Q. And I'm sure that I am missing some positions 11 in between your accreditation and quality specialist at 12 the time that you became senior executive director. 13 Can you just very briefly tell me what those titles 14 were? I don't need specific timelines or anything like 15 that. 16 A. Director of accreditation for the system, and 17 then executive director for regulatory services. 18 Q. And then what was your first position in Fargo? 19 A. VP of nursing, chief nursing officer, Fargo 20 market. 21 Q. Again, never wanting to assume that I know the 22 answer to anything, was that a promotion from senior 23 executive director of ambulatory nursing? 24 A. Yes. 25 Q. All right. And how long were you the VP of</p> | <p style="text-align: right;">Page 16</p> <p>1 A. Bryan Nermoe. 2 Q. All right. Then there was the second one, I 3 take it? 4 A. Then it was Tiffany Lawrence. 5 Q. And anybody else? 6 A. Not during that time frame. 7 Q. Okay. All right. So -- and did you have any 8 sort of, I guess, peer positions within Fargo, or were 9 you by yourself with respect to the Fargo market in the 10 seniority of -- of where you were at? That's probably 11 a bad question. Let me ask a better question. 12 A. Yep. 13 Q. So let's -- let's go this direction instead. 14 You just tell me a little bit about what it is 15 you did as VP operations slash COO of the Fargo market? 16 A. I worked closely with the other members of the 17 senior leadership team in the Fargo market to ensure 18 that we had tight, safe, quality based operations. 19 Q. And who are the other members of the senior 20 leadership team? 21 A. Would you like their names or their positions? 22 Q. Well, how many are we talking about, I guess? 23 Let's start with that. 24 A. There's a handful. So I would say that there 25 were five people that I worked with closest.</p> |
| <p style="text-align: right;">Page 15</p> <p>1 nursing slash chief nursing officer? 2 A. Until 2019, October. 3 Q. All right. And what was your next position? 4 A. Vice president of operations, chief operating 5 officer, Fargo market. 6 Q. And was that the last position that you held, 7 or is there another one? 8 A. That's the last. 9 Q. Okay. And I'll probably be bouncing around a 10 decent amount today. So, again, if for some reason 11 you're not following where I'm going with something, 12 just let me know. 13 When you say VP of operations or COO of the 14 Fargo market, that was still an administrative 15 position, right? 16 A. Correct. 17 Q. And obviously Sanford is a very large and 18 complex organization, but did you have someone that you 19 reported directly to? 20 A. Yes. The chief -- CEO and president of the 21 Fargo market. 22 Q. And who was that? 23 A. During what time frame? 24 Q. Well, let's just start at the -- the first one, 25 I guess, that you reported to in October of 2019.</p> | <p style="text-align: right;">Page 17</p> <p>1 Q. Okay. Let's start with those five then. 2 A. So that would be Tiffany Lawrence as the 3 president and CEO, most recent; Theresa Larson, the 4 chief nursing officer; Kristin Herman, the chief 5 financial officer; Jim Volk, the vice president of the 6 clinic; and Doug Griffin, the chief medical officer. 7 Q. And, sorry, I'll be taking various notes here. 8 So if there's a pause, that's primarily what I'm doing. 9 All right. So am I correct that of these five, 10 two are physicians, one is a nurse, and then two are 11 neither physician nor a nurse? 12 A. Correct. 13 Q. Okay. Is there any kind of -- well, let's -- 14 trying to go back to the bad question I asked earlier. 15 Were you then, I guess, at the -- if I'm trying to 16 think of a hierarchy here, right, were you within the 17 senior leadership team or were you essentially 18 reporting to the senior leadership team? 19 A. No, I was part of the senior leadership team. 20 Q. Okay. 21 A. So the chief medical officer, the chief 22 financial officer, the chief nursing officer, the vice 23 president of clinic, and the chief operating officer in 24 the Sanford system are equivalent with direct reporting 25 to the president and CEO.</p> |

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| <p style="text-align: right;">Page 18</p> <p>1 Q. Got it. Okay. That's -- that's very helpful.</p> <p>2 So then I assume you didn't have any sort of</p> <p>3 direct report in Sioux Falls or anything like that?</p> <p>4 A. Re -- restate that. Did -- did I --</p> <p>5 Q. Yeah, what --</p> <p>6 A. -- have people that reported to me --</p> <p>7 Q. Sorry, yeah --</p> <p>8 A. -- or did I --</p> <p>9 Q. Sorry. The other -- the other direction.</p> <p>10 I mean, were you -- did you -- were you</p> <p>11 supervised at any level by anyone out at Sioux Falls</p> <p>12 while you were in this last position?</p> <p>13 A. Not directly.</p> <p>14 Q. Okay. And then going the other direction, but</p> <p>15 I -- well, I guess, let me ask first. I assume that</p> <p>16 there's a number of people that reported directly to</p> <p>17 you, right?</p> <p>18 A. Correct.</p> <p>19 Q. And was that Fargo, Sioux Falls or multiple</p> <p>20 locations?</p> <p>21 A. They were all Fargo based.</p> <p>22 Q. And again, assuming that it's a manageable</p> <p>23 number, but if you tell me it's not, we can figure out</p> <p>24 a different way. If you just me the names and titles</p> <p>25 of those folks I guess at the end?</p> | <p style="text-align: right;">Page 20</p> <p>1 sort of reshuffling or reorganization; is that right?</p> <p>2 A. Correct.</p> <p>3 Q. Can you tell me just a little bit about what</p> <p>4 that reorganization or reshuffling was?</p> <p>5 A. We went from prior -- prior, we had eight</p> <p>6 executive directors. With some departures and</p> <p>7 retirements, we restructured and we went down to six.</p> <p>8 So as -- in an effort to try and, you know, create</p> <p>9 equity amongst the executive director leadership team,</p> <p>10 we tried to get closer to a more true service line</p> <p>11 based portfolio for each of them. And that was at --</p> <p>12 and at that point was when Mike Erickson assumed</p> <p>13 orthopedics.</p> <p>14 Q. And I know it might not be -- given this</p> <p>15 reorganization or reshuffling, whatever we want to call</p> <p>16 it, it might not be a very clear move, but was moving</p> <p>17 from the VP of nursing slash chief nursing officer to</p> <p>18 VP of ops, COO a promotion or was that more of a</p> <p>19 lateral move, or was it something else?</p> <p>20 A. I would say that in the organizational</p> <p>21 structure, they are equivalent in terms of your seat at</p> <p>22 the table. It's a -- the chief operating officer</p> <p>23 position is a broader responsibility.</p> <p>24 Q. So I could probably assume from the title, but</p> <p>25 why don't you just tell me a little bit about when you</p> |
| <p style="text-align: right;">Page 19</p> <p>1 A. The -- their titles were all executive</p> <p>2 director. And it was Mike Erickson, Paul Burud, Darla</p> <p>3 Dobberstein, Kathryn Norby, Ashley Erickson, Sherm</p> <p>4 Syverson.</p> <p>5 Q. And were these folks executives directors of,</p> <p>6 you know, particular departments or clinics or how did</p> <p>7 you define what they were executive directors of?</p> <p>8 A. They were executive directors of service lines.</p> <p>9 Q. Service lines. Okay.</p> <p>10 And then between the -- I think it was six of</p> <p>11 them I counted, is that all of the service lines in</p> <p>12 Fargo?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And obviously you know that we're here</p> <p>15 because of Dr. Friederichs' lawsuit, and</p> <p>16 Dr. Friederichs was in orthopedics. Mike Erickson was</p> <p>17 executive director over orthopedics and sports</p> <p>18 medicine, right?</p> <p>19 A. Correct.</p> <p>20 Q. During your time as the VP of ops slash COO,</p> <p>21 was there anyone else in his position?</p> <p>22 A. No.</p> <p>23 Q. All right. So then I understand, but certainly</p> <p>24 correct me if I'm wrong, that probably around the time</p> <p>25 that you got this VP of operations role, there was some</p> | <p style="text-align: right;">Page 21</p> <p>1 were the chief nursing officer, VP of nursing, what</p> <p>2 those roles were?</p> <p>3 A. As the chief nursing officer, I was responsible</p> <p>4 for standardization, quality and safety amongst the</p> <p>5 clinical workforce. So nursing and clinical support</p> <p>6 staff. My job largely came down to policies, protocols</p> <p>7 and oversight of how care was provided.</p> <p>8 Q. All right. And so is it okay if I -- and I --</p> <p>9 I can list it out fully, if you'd like, every time I</p> <p>10 ask the questions -- the question, but can I just say</p> <p>11 "VP of ops" and you'll understand I'm also talking</p> <p>12 about the COO, because you held that position at the</p> <p>13 same time, right?</p> <p>14 A. Correct.</p> <p>15 Q. Okay. So if that's fine with you, I'm just</p> <p>16 going to shorten that to say "VP of ops," okay?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. So when you were VP of ops, did you have</p> <p>19 an equivalent or a counterpart in other markets?</p> <p>20 A. Yes.</p> <p>21 Q. And what were those other markets that you had</p> <p>22 a counterpoint -- or a counterpart in? Counterpart</p> <p>23 --</p> <p>24 A. Sioux Falls --</p> <p>25 Q. -- sorry.</p> |

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| <p style="text-align: right;">Page 22</p> <p>1 A. Sioux Falls, South Dakota; Bismarck, North 2 Dakota; Bemidji, Minnesota. 3 Q. And did that group of people, the four VP of 4 ops, or whatever the exact titles were, did you all 5 collaborate and work together on a frequent basis? 6 A. We did. 7 Q. Okay. Like, did you have standing weekly or 8 monthly meetings or -- or how did that work? 9 A. We had a standing weekly meeting that was 10 operations. Enter -- enterprise operations is what it 11 was called. And that was the -- all of the VP of ops, 12 but also the VP of clinic, the VP of nursing. And then 13 the VP of ops, we met every other week for an hour. 14 Q. All right. During your time in Fargo, did you 15 ever really get to know Dr. Friederichs? 16 A. I -- I knew Dr. Friederichs. 17 Q. And did you work directly with him? 18 A. Very little. 19 Q. How did you get to know him? 20 A. I -- I attended the strategic planning sessions 21 on an annual basis with all of the service lines and 22 then largely relied on my executive directors and 23 directors to communicate the -- the needs of our 24 physician group. 25 Q. So if I were -- forgive my math. Let's see.</p> | <p style="text-align: right;">Page 24</p> <p>1 strictly a physician issue, they -- Dr. Volk or 2 Dr. Griffin would take point on it. 3 Q. Okay. And, like I said, I'm going to be 4 jumping around here a little bit. 5 You do not currently work at Sanford, right? 6 A. Correct. 7 Q. When was your last day? 8 A. October 25th of last year. 9 Q. All right. And -- oh, sorry, I didn't hear 10 what you said at the end there. 11 A. Oh, I just said 2022. 12 Q. Okay. All right. And I believe that -- well, 13 you received a subpoena in this case, right? 14 A. I did. 15 Q. And that's, of course, why you're sitting here 16 talking to me right now, right? 17 A. Correct. 18 Q. And I believe that was served in Fargo; is that 19 right? 20 A. Yes. 21 Q. Okay. But you're now in San Antonio; is that 22 what you said earlier? 23 A. I am in San Antonio -- 24 Q. Okay. 25 A. -- correct, yes.</p> |
| <p style="text-align: right;">Page 23</p> <p>1 And actually, maybe I didn't ask you specifically. Or 2 no, I did, I apologize. So October 2019, then for the 3 next three years, I mean, give me a ballpark of how 4 many times you think that you met Dr. Friederichs in 5 person. 6 A. I don't -- I don't recall. If it's a ballpark, 7 two. 8 Q. Okay. 9 A. Two to three potentially. 10 If you're asking if I had -- I had zero 11 one-to-one discussions with Dr. Friederichson [sic.] 12 where it was just him and I. 13 Q. And is that standard for your working 14 relationship with other physicians, or is it low or 15 high for level of interaction? 16 A. I would say that that's pretty -- pretty 17 standard. 18 Q. And again, I don't want to assume anything. If 19 there were an issue with a physician and we take the 20 six different people that are in the senior leadership 21 team, would it be one of the physicians that would -- 22 those physicians being Volk and Griffin, would it be 23 one of them that would deal with the physician issue, 24 or does it just depend on what the issue is? 25 A. So from a standard standpoint, if it was</p> | <p style="text-align: right;">Page 25</p> <p>1 Q. Have you moved or are you in the process of 2 moving, or what's -- where -- or go ahead. 3 A. I -- no, so I'm here for work right now. 4 Q. Okay. Where do you currently work? 5 A. I'm working on a part-time basis with Newpoint 6 Consulting. 7 Q. Sorry, was that Newpoint? 8 A. Yes. 9 Q. Okay. And that's some sort of health care or 10 hospital consulting? 11 A. Correct. 12 Q. Okay. And where is that based out of? 13 A. Phoenix. 14 Q. All right. So you get the opportunity in 15 February to get out of Fargo and get down to Phoenix 16 and San Antonio. 17 A. Yes. 18 Q. That's too bad. 19 So when did you start that role? 20 A. In January of '23. 21 Q. All right. And did you leave Sanford for that 22 role? 23 A. I left -- I did not leave Sanford specifically 24 for this role. 25 Q. And I apologize in advance of this, I obviously</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 don't know much about anything, but obviously ends of 2 jobs can always be a sensitive topic, so I do want to 3 apologize in advance. But did you leave Sanford on 4 your own decision or was it someone else's decision for 5 you to leave? 6 A. It was my decision. 7 Q. Okay. All right. Returning to Dr. Friederichs 8 more specifically, are you aware of when he put in his 9 notice of resignation? 10 A. Are you asking me do I know the date in which 11 he put it in? 12 Q. Yeah. Just trying to set the time frame. 13 A. I honestly do not have a firm remembrance of 14 the specific dates. I know that it was around November 15 of 2021. 16 Q. Okay. And would you typically get notice of 17 doctor resignations? 18 A. Yes. 19 Q. And was there anything in particular that you 20 were tasked with doing, I guess, in response to 21 physician -- or doctor resignations? 22 A. Not me specifically, no. 23 Q. What about anybody in your team? And by team I 24 mean the executive directors. Were you overseeing 25 people doing anything in response?</p> | <p style="text-align: right;">Page 28</p> <p>1 Q. And I just want to talk a little bit about -- I 2 think you said the phrase "offboarding process." Is 3 that what you said? 4 A. Correct. 5 Q. Can you just tell me a little bit about what's 6 involved in offboarding? 7 A. Making sure that patients are notified that 8 their provider is leaving, making sure that the 9 physician knows the impact to their benefits, making 10 sure that their schedule is appropriately cleared, 11 other administrative functions related to their 12 departure. 13 Q. And, again, you typically wouldn't be directly 14 involved in any of that offboarding, right? 15 A. I would not. 16 Q. Okay. And with Dr. Friederichs, were you 17 directly involved with any of that offboarding? 18 A. I was not. 19 Q. Did you -- and I just to set the -- the time 20 frame a little bit, I mean, you're right, it's 21 November. I can show you the document, but end of 22 November of 2021, Dr. Friederichs puts in his notice, 23 and then he has roughly three months to go. So through 24 near the end of February of 2022. Sorry, now I got to 25 make sure I got the dates right.</p> |
| <p style="text-align: right;">Page 27</p> <p>1 A. Yes. 2 Q. And what sorts of things is -- were those? 3 A. The director who reports to the executive 4 director and the executive director reporting to me in 5 my role. The director initiates the process of the 6 physician off -- offboarding, which essentially make 7 sure that all loose ends are tied up before they leave. 8 That's a set -- set standard process. Vast majority of 9 that is done by the director with consult of the 10 executive director. So unless there is -- was 11 something, you know, extremely nuanced or unusual, I 12 would not be involved in any of the specifics of that. 13 Q. Do you know who the director was that would 14 have been involved with Dr. Friederichs' offboarding? 15 A. Yes. Emily Mangin. 16 Q. I'm sorry. I cut you off. What -- what was 17 her name? 18 A. Emily Mangin. 19 Q. And I know that there's a level -- well, 20 primarily Mike Erickson between you and Ms. Mangin, 21 right? 22 A. Correct. 23 Q. And did you really work directly with her, or 24 did you just really work directly with Mr. Erickson? 25 A. Typically, just directly with Mike Erickson.</p> | <p style="text-align: right;">Page 29</p> <p>1 So with that time frame in mind, do you 2 remember any discussions with whether it was 3 Mr. Erickson or Ms. Mangin, or however you pronounce 4 her name, in -- in -- in December regarding the 5 scheduling of appointments and Dr. Friederichs? 6 A. I recall that there was discussion occurring 7 about when his last day to see patients in the clinic 8 would be. I was not involved in the decision making or 9 the specifics of that. 10 Q. So if someone made the decision as to when the 11 last day would be to see patients, you didn't make that 12 decision? 13 A. Correct. 14 Q. Okay. But you -- were you -- trying to figure 15 out a little bit more precisely here. Were you just 16 aware that these decisions were happening, or were you 17 more actively consulting in the decision making? 18 A. I -- I was not consulted in the decision 19 making. I did support the decision that was made once 20 it was made. 21 Q. Can you recall what that decision was? 22 A. There was a ramp-down period, which is very 23 typical, that was decided amongst the physician 24 leadership of the orthopedic department in consult with 25 Mike and, I believe, Dr. Volk. And I can't -- I don't</p> |

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| <p style="text-align: right;">Page 30</p> <p>1 remember the specifics about how long prior to his 2 departure that he would quit seeing new patients. 3 Q. And was this just at -- at meetings that you 4 were discussing this, or how -- how are you aware of 5 the -- these discussions going on? 6 A. Well, Mike kept me apprised during our 7 one-on-one meetings, and then I'm -- I'm confident that 8 I was likely cc'd on different e-mail correspondence. 9 Q. Okay. And are you aware of whether there's 10 any -- well, let me back up a second. 11 If I just describe -- is it the Fargo system or 12 the Fargo clinic, or what's the best way to describe 13 all of the -- the area that was reporting up to you? 14 A. Fargo market. 15 Q. The Fargo market. Thank you. You said that 16 earlier. 17 So do you know whether there's any policy 18 within the Fargo market or within particular clinics or 19 departments as to what that ramp-down period is? 20 A. Each department has some independence in how 21 that is decided because the clinical practices are so 22 nuanced. 23 Q. All right. One of the other things that you 24 mentioned with respect to offboarding was making sure 25 that patients are notified that the physician is -- is</p> | <p style="text-align: right;">Page 32</p> <p>1 All right. I am showing you -- or going to be 2 showing you what was previously marked as Deposition 3 Exhibit Number 6. If you could let me know when you're 4 ready. 5 A. I'm ready. 6 Q. Okay. I guess with this specific document, it 7 -- it's the Dr. Friederichs' letter, right? 8 Sorry, I didn't hear you. 9 A. Correct. 10 Q. Okay. So I want to ask just, I guess, more 11 specifically about the letter, as it looks here, which 12 has Dr. Friederichs' name on the bottom. Have you, 13 prior to the litigation, seen this letter? 14 A. Yes. 15 Q. Okay. And what was the context in which you 16 saw the letter? 17 A. Mike Erickson showed it to me. 18 Q. And he showed it to you before it went out? 19 A. No, after. 20 Q. Okay. And do you recall -- well, we can see on 21 here, Exhibit 6 says that it was January 5th of 2022. 22 Do you see that? 23 A. Yes. 24 Q. Do you recall approximately when it was he 25 showed it to you?</p> |
| <p style="text-align: right;">Page 31</p> <p>1 leaving. I don't know if that's exactly what you said, 2 but that's -- that's the gist of it, right? 3 A. Correct. 4 Q. Okay. And is that sort of offboarding -- from 5 when you were in your position of VP of ops, was that, 6 again, something that was uniform throughout the Fargo 7 market, or was that something that was clinic or 8 department specific? 9 A. You know, I didn't -- I didn't get involved in 10 that specific process directly. I relied on the 11 executive directors to do that. So it would be 12 difficult for me to say that there was a single 13 standard. 14 Q. Okay. And some of my questions are, of course, 15 kind of in the abstract, which doesn't always make it 16 the easiest to understand. So I will start to show you 17 some -- some documents here to -- to get into a little 18 bit more specifics. 19 So you can bear with me for a moment. Like I 20 said, I'm going to be some screen sharing here. And 21 then for each of these documents, if you could just 22 take a look at it and then let me know when you're 23 ready for me to start asking you questions. 24 A. Okay. 25 Q. So just a moment.</p> | <p style="text-align: right;">Page 33</p> <p>1 A. I have no idea the specific day. It would have 2 been very close after that date. 3 Q. Do you recall whether there was something that 4 specifically prompted him to show it to you? 5 A. Dr. Friederichson [sic.] reaching out to say he 6 was upset about the letter being sent. 7 Q. Okay. So you recall that Dr. Friederichs was 8 upset, but this was still you think before any sort of 9 lawsuit had been started; is that right? 10 A. Correct. 11 Q. Okay. And I know you don't recall exactly when 12 it happened, but just -- let's talk a little bit about 13 that conversation. Did Mr. Erickson go to -- first 14 approach you, or did you first approach him? 15 A. He approached me. 16 Q. Okay. And what did he tell you? 17 A. He texted me and asked me to call him because 18 there was an issue with Dr. Friederichs as well as 19 another physician that left concurrent and this 20 specific letter that got sent to patients. 21 Q. Okay. And did you then have a conversation 22 about it? 23 A. I did. 24 Q. Was that in person or not in person? 25 A. It was on the telephone.</p> |

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| <p style="text-align: right;">Page 34</p> <p>1 Q. Okay. So then how did you, I guess, see the 2 letter if you were on the phone? 3 A. The -- the initial -- it was an evening -- 4 again I don't know the date -- that Mike ended up 5 asking me to call to talk about it. And then at our 6 next in-person meeting, which would have been the 7 following day, he showed it to me. 8 Q. Okay. 9 A. He read it to me on the phone and then showed 10 it to me the next day. 11 Q. All right. So then just on the phone call then 12 for a moment, he -- it sounds like that he described at 13 least generally what the issue was and that he read you 14 what the letter said; is that right? 15 A. Correct. 16 Q. Anything else do you recall him saying about 17 the letter or the situation? 18 A. I remember him saying that Freddy would like 19 the list of people that it was sent to. And at that -- 20 Q. And do you recall -- oh, go ahead. 21 A. And at that point, I said I think that we need 22 to get legal and we need to get compliance involved to 23 figure out next steps. 24 Q. So at least at that point in time, 25 Dr. Friederichs was not going to be -- was not allowed</p> | <p style="text-align: right;">Page 36</p> <p>1 A. Correct. 2 Q. Okay. And then do you recall anything being 3 discussed at that meeting? 4 A. Nothing outside of consult with internal legal 5 and what -- let's get guidance on how to move forward. 6 Q. And just to make sure that we're on the same 7 page and talking about the same dates, I'm going to 8 show you a different document. 9 All right. I'm showing you what was previously 10 marked as Dep -- Deposition Exhibit Number 31. Are you 11 able to see that or is it a little too small? 12 A. Well, I can pull -- I can -- I think it's okay. 13 Q. All right. Well, I can zoom in a little bit, 14 too. 15 A. Oh, there, that's much better. 16 Q. Okay. So I'll just represent to you that these 17 are text messages that were produced from 18 Mr. Erickson's phone. And if we just go down a bit on 19 the page, I believe it's the third page, doesn't look 20 like it's Bates stamped. On the third page, I see a 21 text message right here dated January 11, 2022, 10:42 22 p.m. Do you see the text message I'm talking about? 23 A. I do. 24 Q. And the 605 number, is that you? 25 A. That's me.</p> |
| <p style="text-align: right;">Page 35</p> <p>1 to see a copy of it, right? And I say "it," sorry, the 2 list of the patients. 3 A. Correct. 4 Q. Okay. And -- 5 A. And just to clarify -- 6 Q. Yep. 7 A. -- not -- it wasn't that he wasn't allowed, it 8 was pending, you know, hospital standards for how we 9 release that type of information. 10 Q. Sure. And then anything else about -- that you 11 recall being discussed in that phone call? 12 A. Not that I recall. 13 Q. Okay. And so you said -- you recall then 14 meeting with Mr. Erickson the next day; is that right? 15 A. I believe it was the next day. With -- 16 Q. And it -- 17 A. -- with -- 18 Q. Oh, go ahead. 19 A. Within a short period of time following that 20 phone call. I can't say with a hundred percent 21 certainty, but we typically -- I saw all of the 22 executive directors in passing usually on a daily to 23 every-other-day basis. 24 Q. Okay. So then in this meeting, I think you 25 said he showed you a copy of this letter?</p> | <p style="text-align: right;">Page 37</p> <p>1 Q. Okay. That's your personal cell phone? 2 A. Yes. 3 Q. Okay. And then the message of this text says 4 "Call me later . . . I F'd up with Freddy's and 5 Erpelding's patient letters and they are pissed. Can't 6 un-ring the bell." 7 Do you see that? 8 A. I do. 9 Q. Is that the text message that you were talking 10 about a moment ago? 11 A. It is. 12 Q. Okay. So that would have been January 11th of 13 2022, which, if it's at all helpful, I'm looking at a 14 calendar and it says that was a Tuesday. So I don't 15 know if that changes your -- or helps refresh your 16 recollection at all about when it was you would have 17 then actually met with Mr. Erickson. 18 A. I don't have access to any of my e-mails or my 19 professional calendar for that time, otherwise I would 20 be able to go back and give you a specific date likely. 21 Q. Sure. But you still recall it was pretty 22 quickly thereafter? 23 A. Correct. 24 Q. Okay. All right. 25 And speaking of just documents, I understand of</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 course that you don't have access to Sanford e-mails or 2 anything like that. Did -- did you check for text 3 messages on your phone in response to the subpoena? 4 A. I'm sorry? Restate. 5 Q. Yes. So in the subpoena, it requested 6 messages -- text messages as well that you may have had 7 regarding Dr. Friederichs. Did you search your cell 8 phone for any text messages? 9 A. I did. 10 Q. Okay. Did you find any? 11 A. The one that Mike Erickson sent me. 12 Q. Okay. Did you find anything else? 13 A. I did not. 14 Q. And you have a -- an iPhone or something else? 15 A. iPhone. 16 Q. Okay. And you just use the little search bar 17 and type in "Freddy" and "Friederichs" or what did you 18 do? 19 A. "Freddy." 20 Q. Okay. All right. 21 Any other text messages that you saw with 22 anybody other -- beyond Mr. Erickson? 23 A. No. 24 Q. All right. 25 A. I should restate. There is a -- there is one</p> | <p style="text-align: right;">Page 40</p> <p>1 organization. Not specific to a physician or a 2 location, but more from an operations standpoint, this 3 is, you know, an example of a letter that would be 4 sent. 5 Q. And do you -- do you recall who would have been 6 the person showing you those other letters? 7 A. Well, throughout my career at Sanford, we had 8 several presentations by the physician recruitment team 9 as well as the physician compensation team about, you 10 know, the standard process for physicians departing. 11 So it would be a stock letter. 12 Q. Understood. And I'll show you a different 13 document here. 14 All right. I'm showing you what was previously 15 marked as Deposition Exhibit 16. It's nine pages, but 16 let's just talk about the first page. If you could let 17 me know when you're ready. 18 A. I'm ready. 19 Q. Okay. Have you ever seen this document before? 20 A. I have. 21 Q. Okay. And do you recall you would have been 22 seeing this in connection with the other letters or in 23 connection with something else? 24 A. I've seen this in connection with the physician 25 resignation process.</p> |
| <p style="text-align: right;">Page 39</p> <p>1 reference to Freddy from internal counsel about 2 attending a meeting regarding Freddy, so unable to 3 connect with me, would need to follow up later. Those 4 are the only two in the searches. 5 Q. All right. So that was a -- a text with an 6 attorney? 7 A. Correct. 8 Q. Okay. All right. 9 So -- 10 A. And not specific to the case, but had his name 11 in it. 12 Q. Sure. So I'm going to put Exhibit 6 back up. 13 I'm sure you are familiar with it, but it's just 14 easiest to make sure that we're on the same page. 15 So you should see Exhibit 6 again. Do you see 16 it? 17 A. I do. 18 Q. Okay. So at the time -- or before you saw the 19 version of this letter with Dr. Friederichs' name on 20 it, had you ever seen any other letter like this? 21 A. Yes. 22 Q. And what was -- what other letters do you 23 recall seeing that are like this? 24 A. Well, I -- I've seen the standard boilerplate 25 letters that we send out when physicians depart the</p> | <p style="text-align: right;">Page 41</p> <p>1 Q. Okay. And is that different than the physician 2 recruitment and physician -- physician compensation 3 meetings that you were referring to? 4 A. No. 5 Q. Okay. And within this, we can see, you know, 6 there's a letter number 1 highlighted on page 278; the 7 next page a letter 2. Is this what you meant by when 8 you're talking about the boilerplate language? 9 A. Correct. Correct. 10 Q. Okay. So setting aside this policy, do you 11 recall seeing -- I'll just call them physician 12 letters -- physician letters with actual physician 13 names on them? 14 A. I don't recall. 15 Q. Let me ask it a little bit better way. Do you 16 recall ever seeing a letter in connection with a 17 specific departing physician? 18 A. I could not give you a name of a specific 19 physician. 20 Q. Okay. With Dr. Friederichs, it sounds like 21 prior to the letter going out, you didn't see the 22 letter, right? 23 A. I did not. 24 Q. Do you recall -- and I don't need a name quite 25 yet, but is there -- do you recall any other time that</p> |

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| <p style="text-align: right;">Page 42</p> <p>1 you did see a letter before it went out?</p> <p>2 A. No.</p> <p>3 Q. Okay. So let's talk about then these physician</p> <p>4 comp and physician recruitment meetings. Are those two</p> <p>5 separate meetings, by the way?</p> <p>6 A. It -- it -- it would be under Luis Garcia as</p> <p>7 the president of the clinics and overarching umbrella</p> <p>8 about how we onboard, recruit, and then, you know,</p> <p>9 support retiring or departing physicians.</p> <p>10 Q. Okay. And for the discussions about the policy</p> <p>11 and the letter, was that more of an FYI educational</p> <p>12 sort of thing, or was it a looking into revising,</p> <p>13 changing, supplementing, whatever the practice?</p> <p>14 A. So that -- that would largely have been in our</p> <p>15 enterprise operations groups throughout, you know, many</p> <p>16 years that I have seen, you know, changes or revisions</p> <p>17 to that practice. And it's more on awareness. And my</p> <p>18 role was to support getting it in front of the</p> <p>19 appropriate parties that would execute the process,</p> <p>20 i.e., the Mike Ericksons.</p> <p>21 Q. And you say, sorry, getting it in front of the</p> <p>22 appropriate parties like Mike Erickson. Are you</p> <p>23 talking about getting the letter or the policy or</p> <p>24 something else?</p> <p>25 A. The policy.</p> | <p style="text-align: right;">Page 44</p> <p>1 Q. And is that something for each market, or is</p> <p>2 that all based out of Sioux Falls?</p> <p>3 A. There are -- the department as a whole is a</p> <p>4 central service or is a -- a corporate function. There</p> <p>5 are local folks in each market, but it's managed</p> <p>6 centrally. So we have people physically on site. The</p> <p>7 operations and marketing are managed centrally out of</p> <p>8 Sioux Falls.</p> <p>9 MR. WHEELER: We've been going about an</p> <p>10 hour here, so I think it makes sense to -- to take a</p> <p>11 break. And we can go off the record now.</p> <p>12 THE VIDEOGRAPHER: We're going off the</p> <p>13 record at 2:32 p.m.</p> <p>14 (A break was taken at 2:32 p.m.)</p> <p>15 THE VIDEOGRAPHER: This is media number</p> <p>16 two in the deposition of Britt -- Brittany Sachdeva.</p> <p>17 Today is February 20, 2023. We're going back on the</p> <p>18 record at 2:46 p.m.</p> <p>19 BY MR. WHEELER:</p> <p>20 Q. All right. Before the break, we were taking a</p> <p>21 look at Exhibit 16, which I guess -- I don't know if</p> <p>22 you use these phrases or not, but I -- I called it, I</p> <p>23 guess, a marketing policy. And I'll just show it to</p> <p>24 you again. I guess I don't know if you have -- how</p> <p>25 you -- what you would describe this document to be.</p> |
| <p style="text-align: right;">Page 43</p> <p>1 Q. Okay. And so was there a period of time in</p> <p>2 which the policy was not being given to the directors</p> <p>3 or executive directors?</p> <p>4 A. Not to my knowledge.</p> <p>5 Q. Okay. I -- I'm just frankly not following a</p> <p>6 hundred percent what it was you said. So when you --</p> <p>7 when you said that you supported getting it in front of</p> <p>8 the appropriate parties, can you just explain to me</p> <p>9 what you meant by that?</p> <p>10 A. In my role as the chief operating officer, the</p> <p>11 VP of ops, is to -- there's system-wide procedures or</p> <p>12 policy that we're going to all follow. That</p> <p>13 information typically got communicated to the senior</p> <p>14 leadership first. From there, in each of the markets,</p> <p>15 the VP of ops was responsible for facilitating and</p> <p>16 coordinating those presentations to happen with the</p> <p>17 people who would execute them, which would be the Mike</p> <p>18 Ericksons, and then Mike would be responsible for</p> <p>19 getting Emily notified.</p> <p>20 Q. Okay. And then with respect to -- just a</p> <p>21 couple more questions and then we'll take a break.</p> <p>22 With respect to more of, like, the -- the</p> <p>23 marketing folks, is there a separate marketing</p> <p>24 department at Sanford?</p> <p>25 A. There is.</p> | <p style="text-align: right;">Page 45</p> <p>1 A. I would call this document a procedure or a</p> <p>2 guideline.</p> <p>3 Q. Okay. And it looks like for physician, maybe</p> <p>4 just departures is the best shorthand I can come up</p> <p>5 with. So we have a procedure for departing physicians;</p> <p>6 is that fair?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. All right.</p> <p>9 And did you have any involvement in drafting</p> <p>10 this?</p> <p>11 A. No.</p> <p>12 Q. And when -- which one of your positions do you</p> <p>13 recall would have been the first time you would have</p> <p>14 started seeing this policy? Or, I'm sorry, procedure?</p> <p>15 A. I've had knowledge of this pro -- procedure for</p> <p>16 many years.</p> <p>17 Q. So going back to your time in Sioux Falls, were</p> <p>18 you aware of the procedure?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And are you aware -- we've talked a</p> <p>21 couple different times about differences between</p> <p>22 different markets, whether it's the Fargo market or the</p> <p>23 Sioux Falls market. Are you aware of whether the Sioux</p> <p>24 Falls market and Fargo market are different or the same</p> <p>25 with respect to this procedure?</p> |

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| <p style="text-align: right;">Page 46</p> <p>1 A. I -- I can't speak to that. The --</p> <p>2 Q. Okay. Oh, go ahead.</p> <p>3 A. -- gen -- general guideline is standard.</p> <p>4 Q. And what do you understand that -- that general</p> <p>5 guideline to be?</p> <p>6 A. This -- this procedure, or -- and I would call</p> <p>7 it a procedure or a guideline, is -- is standard. How</p> <p>8 it's executed in each market may have nuances.</p> <p>9 Q. All right. And so, again -- what I'm going to</p> <p>10 try and do is differentiate between after the situation</p> <p>11 with Dr. Friederichs gets to obviously where we are</p> <p>12 now, before the Dr. Friederichs letter situation.</p> <p>13 Okay?</p> <p>14 Before the Dr. Friederichs letter situation, do</p> <p>15 you recall there being any physician complaints about</p> <p>16 this guideline or procedure?</p> <p>17 A. I do not.</p> <p>18 Q. Were you involved or otherwise aware of any</p> <p>19 issues raised by a Dr. John Norberg relating to the</p> <p>20 practice of letters?</p> <p>21 A. Not prior to this.</p> <p>22 Q. Okay. And, again, before the Dr. Friederichs</p> <p>23 letter situation, do you recall -- I think you</p> <p>24 described it as the execution on this. Do you recall</p> <p>25 the execution in Fargo, whether generally physicians</p> | <p style="text-align: right;">Page 48</p> <p>1 Q. Okay. And that's the same for -- well, no,</p> <p>2 sorry. Then we're into letter three in which it's sent</p> <p>3 on behalf of the executive director.</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. So in this case, it's not on be -- on</p> <p>7 behalf of the departing physician, it's -- well, if it</p> <p>8 was orthopedics, it would be the Mike Ericksons of the</p> <p>9 world, right?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And then number 4, we're back into the</p> <p>12 first person with the physician's name on the bottom,</p> <p>13 right?</p> <p>14 A. Correct.</p> <p>15 Q. Letter option number 5, same thing, in the</p> <p>16 first person, physician name on the bottom.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And then letter 6, which apparently deals with</p> <p>20 residents and that situation, it's not the first</p> <p>21 person -- well, it is the first person, but it's not on</p> <p>22 behalf of the residents, it looks like it's from a</p> <p>23 medical director.</p> <p>24 Do you see that?</p> <p>25 A. Yes.</p> |
| <p style="text-align: right;">Page 47</p> <p>1 were signing off on these letters or not?</p> <p>2 A. If the letter had the physician's signature, I</p> <p>3 would have expected they would have reviewed it.</p> <p>4 Q. And why is that?</p> <p>5 A. Because it's signed by them -- by them as</p> <p>6 individuals.</p> <p>7 Q. And when you say their signature, are you</p> <p>8 referring to the actual, like, handwritten signature,</p> <p>9 or are you just referring to their name in a signature</p> <p>10 block?</p> <p>11 A. Either.</p> <p>12 Q. Okay. So you would expect that if their name</p> <p>13 was at the bottom of the letter that they would have</p> <p>14 signed off on it; is that right?</p> <p>15 A. That is correct.</p> <p>16 Q. Okay. And do you know -- we can just look at</p> <p>17 some of the examples in here. Letter one, it's written</p> <p>18 in the first person from a departing physician.</p> <p>19 Do you see that?</p> <p>20 A. I do.</p> <p>21 Q. All right. And letter option number 2 -- and</p> <p>22 this is Exhibit 16, again, we're looking at. In here,</p> <p>23 you can see it's written in the first person with the</p> <p>24 patient -- or the physician's name on the bottom?</p> <p>25 A. Yep.</p> | <p style="text-align: right;">Page 49</p> <p>1 Q. Okay. All right.</p> <p>2 So at any point prior to the Dr. Friederichs</p> <p>3 letter situation, were you aware of there being a</p> <p>4 practice -- any kind of practice about sending</p> <p>5 departing physician letters with that departing</p> <p>6 physicians's name at -- in the signature block without</p> <p>7 that departing physician signing off on it?</p> <p>8 A. No.</p> <p>9 Q. Are you aware of -- other than what your</p> <p>10 expectations would be, I mean, did somebody tell you,</p> <p>11 whatever executive director or director it might have</p> <p>12 been, that they were actually running these sorts of</p> <p>13 letters past the departing physicians?</p> <p>14 A. No.</p> <p>15 Q. Okay. It was just your expectation, based on</p> <p>16 how it was worded in this guideline, right?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. All right.</p> <p>19 All right. I want to return to Exhibit 31 -- I</p> <p>20 can show you again here in a second -- which is the</p> <p>21 text messages. I'm looking at the third page of</p> <p>22 Exhibit 31, and again this is a text message from</p> <p>23 Mr. Erickson saying "I F'd up with Freddy's and</p> <p>24 Erpelding's patient letters and they are pissed."</p> <p>25 Do you see that?</p> |

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| <p style="text-align: right;">Page 50</p> <p>1 A. I do.</p> <p>2 Q. Okay. As part of whether it was the immediate</p> <p>3 conversation that followed this text message or whether</p> <p>4 it was in person in the next couple of days, do you</p> <p>5 recall what Mr. Erickson told you about why it was an F</p> <p>6 up, I guess, to use his language?</p> <p>7 A. Yeah, I called Mike after receiving that text,</p> <p>8 I know that. And he explained the situation and said,</p> <p>9 you know, the -- the template that was used that he</p> <p>10 approved appeared as though it was written by Freddy</p> <p>11 and it was sent out without him and Erpelding seeing it</p> <p>12 first.</p> <p>13 Q. Did -- in this conversation, did Mr. Erickson</p> <p>14 explain to you any earlier issue with Dr. Norberg and</p> <p>15 Dr. Norberg's letter?</p> <p>16 A. Not that I recall.</p> <p>17 Q. Okay. Put that exhibit back away again.</p> <p>18 And going back then to what I think you called</p> <p>19 as, like, the physician comp or physician recruitment</p> <p>20 meetings -- and, again, I -- I guess it wasn't</p> <p>21 abundantly clear, were those two different kinds of</p> <p>22 meetings or was that just more, like, physician --</p> <p>23 A. Services.</p> <p>24 Q. -- related -- okay. Physician services</p> <p>25 meetings, maybe we can call it that.</p> | <p style="text-align: right;">Page 52</p> <p>1 that our internal legal counsel was involved.</p> <p>2 Q. I see. I want to not talk about any meetings</p> <p>3 in which there was, you know, the lawyer present</p> <p>4 talking about whatever. But beyond that, you know, any</p> <p>5 conversations, say, between you and Mr. Volk about the</p> <p>6 Dr. Friederichs letter?</p> <p>7 MR. RAITER: Just caution you if the</p> <p>8 conversations involved discussions or information</p> <p>9 provided to you or conveyed to you by legal, I would</p> <p>10 ask you not to disclose that part of the conversation.</p> <p>11 I think counsel's asking you for things that were not</p> <p>12 coming from legal or at the direction of legal.</p> <p>13 THE WITNESS: No. There were no</p> <p>14 discussions that were not legal informed.</p> <p>15 BY MR. WHEELER:</p> <p>16 Q. All right. And then I understand that there</p> <p>17 may have been some changes in the practice or the</p> <p>18 execution of how departing physician's letters are</p> <p>19 sent; is that right?</p> <p>20 A. That is correct.</p> <p>21 Q. And were you involved in -- in that process?</p> <p>22 Making those changes?</p> <p>23 A. I was not.</p> <p>24 Q. Okay. So I -- I want to talk a little bit more</p> <p>25 about the physician services meetings, I guess. And I</p> |
| <p style="text-align: right;">Page 51</p> <p>1 And I think you said Luis Garcia was -- I don't</p> <p>2 want to necessarily say leading the charge. What was</p> <p>3 Luis Garcia's role on that?</p> <p>4 A. Luis Garcia's, president of the clinic, is the</p> <p>5 seat that he -- he's held the last several years.</p> <p>6 Q. And --</p> <p>7 A. And so --</p> <p>8 Q. Oh, go ahead.</p> <p>9 A. His office and physician services handles those</p> <p>10 types of guidelines.</p> <p>11 Q. And do you remember -- actually, strike that.</p> <p>12 Let me ask you something differently.</p> <p>13 So after meeting with Mr. Erickson went to --</p> <p>14 something went to legal and compliance, and I don't</p> <p>15 want to know about that. Other than legal and</p> <p>16 compliance, did you have discussions with anybody else</p> <p>17 about the Dr. Friederichs letter situation, whether</p> <p>18 senior leadership or anybody else?</p> <p>19 A. Yes.</p> <p>20 Q. And who did you have discussions with?</p> <p>21 A. With the senior leadership team.</p> <p>22 Q. And what were those -- was that a single</p> <p>23 discussion or multiple discussions?</p> <p>24 A. It was more than one discussion, it was ongoing</p> <p>25 updates. But, again, that was at the point that --</p> | <p style="text-align: right;">Page 53</p> <p>1 just want to focus on your time in Fargo. I don't know</p> <p>2 if you would have been attending any of those sorts of</p> <p>3 things beyond Fargo, but let's just focus on your time</p> <p>4 in Fargo. How frequently were you attending these</p> <p>5 sorts of meetings?</p> <p>6 A. The physician services was a presenting group</p> <p>7 on a ad hoc basis for enterprise ops, which was held</p> <p>8 every Wednesday.</p> <p>9 Q. And so, you know, in a given year, what does</p> <p>10 that mean for how many times they would present on an</p> <p>11 ad hoc basis?</p> <p>12 A. I couldn't estimate.</p> <p>13 Q. Was it, like, more or less than once a year?</p> <p>14 A. At least once a year to review survey data at a</p> <p>15 minimum.</p> <p>16 Q. And are these surveys of physicians, patients,</p> <p>17 or both?</p> <p>18 A. Physician compensation.</p> <p>19 Q. Okay. Did you have different sorts of meetings</p> <p>20 regarding patient acquisition, retention, patient</p> <p>21 happiness -- there's a better phrase I'm sure, but do</p> <p>22 you know -- do you know what I'm talking about, the</p> <p>23 sorts of things I'm talking about?</p> <p>24 A. Patient satisfaction.</p> <p>25 Q. Satisfaction. Thank you. That's the word I</p> |

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| <p style="text-align: right;">Page 54</p> <p>1 was looking for.</p> <p>2 Was there different sorts of presenting groups</p> <p>3 on that sort of issue?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And do you recall this letter ever being</p> <p>6 discussed in -- in that sort of context?</p> <p>7 A. I do not.</p> <p>8 Q. Okay. So best as you recall, it was more on</p> <p>9 the physician services sides of things?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And I think the two things that you</p> <p>12 describe are physician compensation and physician</p> <p>13 recruitment, right? And --</p> <p>14 A. Correct.</p> <p>15 Q. -- was -- was there anything -- any other</p> <p>16 categories beyond those two that would fall into</p> <p>17 physician services?</p> <p>18 A. Physician experience is kind of the third -- I</p> <p>19 would say the third stool of that group.</p> <p>20 Q. Is that kind of similar to satisfaction, just</p> <p>21 how happy providers are?</p> <p>22 A. Yeah. Provider satisfaction, and retention is</p> <p>23 the other thing you could call it.</p> <p>24 Q. Okay. So sitting here now -- well, after your</p> <p>25 conversations with Mr. Erickson back in January of</p> | <p style="text-align: right;">Page 56</p> <p>1 two physicians' resignation. It was a process error.</p> <p>2 BY MR. WHEELER:</p> <p>3 Q. So let me -- let me ask a -- a more specific</p> <p>4 question. In any of your conversations with</p> <p>5 Mr. Erickson, did he tell you that the same sort of</p> <p>6 process error had occurred prior to Dr. Friederichs and</p> <p>7 Dr. Erpelding?</p> <p>8 A. No.</p> <p>9 Q. Okay. All right. I'm going to show you a few</p> <p>10 more exhibits here. I'm showing you what was</p> <p>11 previously marked as Deposition Exhibit 37. If you</p> <p>12 could let me know when you're ready.</p> <p>13 A. I'm ready.</p> <p>14 Q. Okay. So you're not on the very top e-mail,</p> <p>15 but you are on the bottom e-mail, which is an e-mail</p> <p>16 from Darren Huber maybe to a number of other folks with</p> <p>17 a link to an article about this lawsuit, right?</p> <p>18 A. Yes.</p> <p>19 Q. And that's January 21st of 2022.</p> <p>20 Do you see that?</p> <p>21 A. I do.</p> <p>22 Q. And who is Darren -- and I apologize if I'm</p> <p>23 mispronouncing his last name -- Huber?</p> <p>24 A. He's the executive director of marketing for</p> <p>25 the Fargo market.</p> |
| <p style="text-align: right;">Page 55</p> <p>1 2022, certainly at that point you were aware, right,</p> <p>2 that some of these letters were being sent out on</p> <p>3 behalf of a departing physician without that</p> <p>4 physician's sign-off, I guess; is that right?</p> <p>5 A. I was aware that it occurred with Freddy and</p> <p>6 Erpelding.</p> <p>7 Q. Right. Okay.</p> <p>8 So are you aware of that happening with any</p> <p>9 other physicians?</p> <p>10 A. Prior to that time, no.</p> <p>11 Q. And -- and just to be clear, I -- even</p> <p>12 expanding it beyond, like, the orthopedic sports</p> <p>13 medicine group, are you aware of that happening in any</p> <p>14 other groups?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. And in your discussions with Mr. Erickson, did</p> <p>17 you ever get an understanding of the -- the origin of</p> <p>18 the issue, I guess, of when that practice may have</p> <p>19 started with orthopedics?</p> <p>20 A. So --</p> <p>21 MR. RAITER: Objection; form.</p> <p>22 Go ahead and answer.</p> <p>23 THE WITNESS: I would say that it was --</p> <p>24 and as stated in -- in Mike's -- Mike Erickson's text</p> <p>25 message to me, it was an error specific to the -- those</p> | <p style="text-align: right;">Page 57</p> <p>1 Q. And so is he one of those executive directors</p> <p>2 like Mr. Erickson? Like, are they peers?</p> <p>3 A. They would be peers in title. Darren reports</p> <p>4 into a -- a corporate service.</p> <p>5 Q. Oh, so he doesn't report to you?</p> <p>6 A. He did not.</p> <p>7 Q. Okay. Did that change?</p> <p>8 A. No.</p> <p>9 Q. Okay. Just wanted to make sure from your</p> <p>10 phrasing there.</p> <p>11 Okay. So did you still though work relatively</p> <p>12 frequently with Mr. Huber?</p> <p>13 A. Yes.</p> <p>14 Q. And do you know who he reported to?</p> <p>15 A. He reported to -- to somebody in Sioux Falls.</p> <p>16 Q. Okay.</p> <p>17 A. Kristy Griffin.</p> <p>18 Q. All right. So just looking then at his e-mail,</p> <p>19 we've already talked about Mr. Erickson, the next</p> <p>20 person is you, and then we have a Neil Roesler or</p> <p>21 Roesler. Who is that?</p> <p>22 A. He's our attorney. Internal --</p> <p>23 Q. Okay.</p> <p>24 A. -- counsel.</p> <p>25 Q. All right. And then we have Emily Mangin, who</p> |

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| <p style="text-align: right;">Page 58</p> <p>1 I think we've already discussed. And then we have a 2 Scott Seiler or Seiler or something like that. Who is 3 that? 4 A. He's a marketing specialist on Darren's team. 5 Q. And do you work with Mr. Seiler or Seiler very 6 frequently? 7 A. Not near as frequent as Darren, but I worked 8 with Scott on a regular basis for external media 9 stories. 10 Q. Sure. And so I want to set aside, again, any 11 conversations protected by attorney-client privilege, 12 you know, with whether it's Mr. Roesler or somebody 13 else. But do you recall whether this e-mail prompted 14 you to have any other sorts of conversations with 15 anybody else whether on this e-mail chain or off this 16 e-mail chain? 17 A. Not to my knowledge. 18 Q. Okay. And I apologize, this is a little 19 clunkier remotely than it would be in real life, so 20 you'll have to -- 21 A. That's okay. 22 Q. -- bear with the awkward pauses. 23 All right. Next I'm going to show you what 24 I've titled Exhibit 49, which is Bates stamped 25 SAN00001092. If you could let me know when you're</p> | <p style="text-align: right;">Page 60</p> <p>1 about that? 2 A. I -- no specific recollection. This is a -- a 3 very standard e-mail for me to get throughout the day 4 about any sort of external media coverage. I always 5 had awareness of what would be released in print. And 6 then if it was something -- you know, a specific quote 7 of mine or otherwise, then I would make my revisions 8 and amendments. So this is a very standard e-mail to 9 receive. 10 Q. Okay. Let me show you another one. So now I'm 11 going to show you what I've titled Exhibit 50, which is 12 stamped Bates label SAN00000346. And if you can let me 13 know when you're ready. 14 A. I'm ready. 15 Q. All right. So, again, two e-mails. We'll 16 start with the bottom e-mail. It's an e-mail from Pat 17 Lewis on behalf of Mr. Erickson to a whole bunch of 18 different folks, again, about Dr. Friederichs' lawsuit. 19 Do you see that? 20 A. I do. 21 Q. And this is in February 18th of 2022. So 22 certainly a couple weeks after the e-mail we were just 23 looking at, right? 24 A. Yes. 25 Q. Okay. And I'm not going to ask you about every</p> |
| <p style="text-align: right;">Page 59</p> <p>1 ready on that. 2 A. I see it. 3 Q. Okay. And there's two e-mails here, the one on 4 the bottom of course is the earlier e-mail. This is an 5 e-mail from Mr. Huber to you and a couple other folks 6 about a draft media response for Dr. Friederichs' 7 lawsuit. 8 Do you see that? 9 A. I do. 10 Q. And then there's a response from one of those 11 folks, who is Mr. Volk, who I think we've talked about 12 prior, right? 13 A. Correct. 14 Q. Okay. And the only name on here that I think 15 is new is a Nathan Aamodt -- Aamodt. I'm terrible with 16 names. Do you -- who is that? 17 A. He is a marketing communications specialist. 18 Q. Okay. So on Mr. Huber's team? 19 A. Correct. 20 Q. Okay. Do you recall, outside of these two 21 e-mails that we're looking at here, having any 22 conversations with any of the folks on the e-mail chain 23 about, you know, media responses to the lawsuit? 24 A. I do not recall. 25 Q. Do you recall any conversation with Mr. Volk</p> | <p style="text-align: right;">Page 61</p> <p>1 single person on this e-mail chain. But glancing at 2 the names, it seems like this includes the entirety of 3 the senior leadership team that you've been -- that you 4 referred to earlier, right? 5 A. Correct. 6 Q. Because I see Tiffany Lawrence, James Volk, 7 Doug Griffin, Darla Dobberstein and then Paul Burud, 8 was that -- how -- I'm terrible with names. Is that 9 the other one that you mentioned? 10 A. Yes. 11 Q. Okay. All right. 12 Do you -- are you aware of what prompted 13 Mr. Erickson to send this e-mail? 14 A. I do not recall. In the date, February 18th, I 15 was on maternity leave at that point. 16 Q. Okay. And hopefully you weren't re -- 17 reviewing e-mails, or at least not reviewing them very 18 frequently. So -- but I'll ask. I mean, do you 19 remember having any conversations then with anybody 20 about the -- the issue raised in this e-mail? 21 A. I do not. 22 Q. All right. And I guess before I put this away, 23 I mean, did you have any conversations with 24 Dr. Friederichs, I guess, ever after his -- after the 25 letter went out?</p> |

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| <p style="text-align: right;">Page 62</p> <p>1 A. I did not.</p> <p>2 Q. Okay. And I certainly can assume, but I'll</p> <p>3 ask. Have you had any conversations with him in --</p> <p>4 well, I -- I -- never mind. I just asked that</p> <p>5 question.</p> <p>6 All right. So after this whole letter</p> <p>7 situation, I'll call it, Dr. Friederichs eventually</p> <p>8 leaves Sanford, right?</p> <p>9 A. Correct.</p> <p>10 Q. And do you recall approximately when that was?</p> <p>11 A. I don't recall the date. I would assume it</p> <p>12 would be some point in February, based on a 90-day</p> <p>13 notice.</p> <p>14 Q. Sure. And your assumption is -- is right.</p> <p>15 Do you recall dealing with any issues with</p> <p>16 Dr. Friederichs after he gave his notice, not relating</p> <p>17 to the letter but relating about anything else?</p> <p>18 A. I did not deal directly with any additional</p> <p>19 issues. I do have awareness of a block time concern</p> <p>20 that he had.</p> <p>21 Q. Okay. And what do you recall about the block</p> <p>22 time issue?</p> <p>23 A. He did not want to have a Friday block time,</p> <p>24 concerns about -- he had raised concerns about safety,</p> <p>25 I believe.</p> | <p style="text-align: right;">Page 64</p> <p>1 return -- or you never really left.</p> <p>2 A. Left, yeah.</p> <p>3 Q. Yeah.</p> <p>4 You can let me know when you're ready for this</p> <p>5 one.</p> <p>6 A. I see that.</p> <p>7 Q. Okay. So the first e-mail from April 14th is</p> <p>8 from Dr. Friederichs to a couple of the senior leader</p> <p>9 folks, but not you, right?</p> <p>10 A. Correct.</p> <p>11 Q. And then it is forwarded from Ms. Dobberstein</p> <p>12 onto you and Mr. Erickson on April 14th of 2022.</p> <p>13 Do you see that?</p> <p>14 A. I do.</p> <p>15 Q. And this was, I don't know exactly how you</p> <p>16 described it, but, you know, before you were supposed</p> <p>17 to come back, but you were still working. So -- is --</p> <p>18 is that fair?</p> <p>19 A. Yes.</p> <p>20 Q. Okay.</p> <p>21 A. On specific things, I did -- I did work.</p> <p>22 Q. Okay. And do you recall then having any</p> <p>23 involvement in this issue from April of 2022?</p> <p>24 A. I made no decisions with this issue. I just</p> <p>25 had awareness and updates as they -- as it -- the</p> |
| <p style="text-align: right;">Page 63</p> <p>1 Q. And do you know whether, while he was an</p> <p>2 employee at Sanford, he had Friday block time?</p> <p>3 A. I -- I can't confirm.</p> <p>4 Q. Okay.</p> <p>5 A. I don't have the schedules of physicians</p> <p>6 memorized.</p> <p>7 Q. Sure. And so it sounds like then your</p> <p>8 awareness or involvement of the issue was -- is it</p> <p>9 relatively limited?</p> <p>10 A. Extremely. And again, I was on maternity leave</p> <p>11 at this point. So I know I received ongoing updates</p> <p>12 via e-mail on what was happening, but I did not</p> <p>13 participate in decision making.</p> <p>14 Q. When did you return from maternity leave?</p> <p>15 A. That's the hardest question you've asked me so</p> <p>16 far.</p> <p>17 Q. When were you supposed to officially return?</p> <p>18 A. I -- May. I started coming back in -- in early</p> <p>19 March.</p> <p>20 Q. Okay. All right. Well, I'll just show you</p> <p>21 another document, and we can go from there. So I'm</p> <p>22 going to show you what's titled Exhibit 51, which is</p> <p>23 Bates label SAN00001433.</p> <p>24 I have two small children of my own, so I</p> <p>25 certainly understand that sometimes you never really</p> | <p style="text-align: right;">Page 65</p> <p>1 process progressed.</p> <p>2 Q. Okay. And so, again, me trying to pinpoint</p> <p>3 that a little bit more, you were more just aware rather</p> <p>4 than, say, actively consulting; is that fair?</p> <p>5 A. Yes. My consult consisted of we need to ensure</p> <p>6 that it is fair and equitable and there needs to be an</p> <p>7 assessment of any safety concerns that brought -- that</p> <p>8 are brought forward by Dr. Friederichs or anyone else.</p> <p>9 Q. And do you recall what the ultimate resolution</p> <p>10 of the issue was?</p> <p>11 A. I -- I do not know at this point. Honestly,</p> <p>12 when I left Sanford, there was still some variability</p> <p>13 happening.</p> <p>14 Q. Somehow I think we -- and I'm just going to,</p> <p>15 like I said, continue to jump around.</p> <p>16 We may have missed this at the very beginning,</p> <p>17 but did I -- did we miss talking about one of the</p> <p>18 degrees that you received? Did you have some sort of</p> <p>19 doctorate degree?</p> <p>20 A. I do.</p> <p>21 Q. Okay. When did you receive that?</p> <p>22 A. 2017 or '18. 2018.</p> <p>23 Q. And where did you get that degree from?</p> <p>24 A. Walden University in Minneapolis.</p> <p>25 Q. And that's the same place you got your masters?</p> |

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| <p style="text-align: right;">Page 66</p> <p>1 A. Correct.</p> <p>2 Q. And is that -- what -- what's it called, a</p> <p>3 doctor of nursing or a PhD of nursing? Or what's it --</p> <p>4 sorry.</p> <p>5 A. It's a doctorate of nursing practice in</p> <p>6 leadership and administration.</p> <p>7 Q. So are you officially done with your</p> <p>8 educational journey then, I take it?</p> <p>9 A. Who knows.</p> <p>10 Q. Yeah. I understand that completely.</p> <p>11 So let me just look at my notes here, make sure</p> <p>12 I didn't miss anything, but we're probably getting</p> <p>13 close to being done here. And actually, on this one,</p> <p>14 we might as well just go off the record for five</p> <p>15 minutes or so.</p> <p>16 THE VIDEOGRAPHER: We're going -- we're</p> <p>17 going off the record at 3:19 p.m.</p> <p>18 (A break was taken at 3:19 p.m.)</p> <p>19 THE VIDEOGRAPHER: We're going back on the</p> <p>20 record at 3:25 p.m.</p> <p>21 BY MR. WHEELER:</p> <p>22 Q. All right. I have a -- a list of names here of</p> <p>23 folks who I understand were departing physicians, and</p> <p>24 so I'm just going to ask you about each of them and</p> <p>25 whether you know anything about any letters that may</p> | <p style="text-align: right;">Page 68</p> <p>1 Q. Maggie Suby?</p> <p>2 A. No.</p> <p>3 Q. Nicholas Smith?</p> <p>4 A. No.</p> <p>5 Q. Ann Safo?</p> <p>6 A. No.</p> <p>7 Q. Priyanka Tiwari?</p> <p>8 A. No.</p> <p>9 Q. Nerine Vincent?</p> <p>10 A. No.</p> <p>11 Q. Kurt Datz?</p> <p>12 A. No.</p> <p>13 Q. Sarah Fanai?</p> <p>14 A. No.</p> <p>15 Q. Gautam Phadke?</p> <p>16 A. No.</p> <p>17 Q. Anthony Odland?</p> <p>18 A. No.</p> <p>19 Q. Lance Doeden?</p> <p>20 A. No.</p> <p>21 Q. Scott Fillmore?</p> <p>22 A. No.</p> <p>23 Q. LeeAnn Wages?</p> <p>24 A. No.</p> <p>25 Q. All right. So you -- I think at the beginning</p> |
| <p style="text-align: right;">Page 67</p> <p>1 have been sent on their behalf, just to put specific</p> <p>2 names out there, rather than to try and figure this out</p> <p>3 in the abstract.</p> <p>4 So do you have any knowledge of a letter sent</p> <p>5 on -- or sent regarding Nathan Kobrinsky?</p> <p>6 A. I do not.</p> <p>7 Q. Saraswathy Manickavasagam?</p> <p>8 A. I do not.</p> <p>9 Q. I butchered that person's name.</p> <p>10 Scott Grindel?</p> <p>11 A. No.</p> <p>12 Q. William Richards?</p> <p>13 A. No.</p> <p>14 Q. Holly Eischens?</p> <p>15 A. No.</p> <p>16 Q. Jeff Lipke?</p> <p>17 A. No.</p> <p>18 Q. Scott Lawrence?</p> <p>19 A. No.</p> <p>20 Q. Jeffrey Anderson?</p> <p>21 A. No.</p> <p>22 Q. Andrew Stasko?</p> <p>23 A. No.</p> <p>24 Q. Neelima Nyayapati -- Nyayapati?</p> <p>25 A. No.</p> | <p style="text-align: right;">Page 69</p> <p>1 of this, you said you're still residing in Fargo; is</p> <p>2 that right?</p> <p>3 A. Correct.</p> <p>4 Q. And this -- this lawsuit, if it goes to a</p> <p>5 trial, could be set for a trial, it's currently in</p> <p>6 September but could be at any point in time. Are you</p> <p>7 planning currently on moving anywhere or are you</p> <p>8 planning in sticking in Fargo for -- for the time</p> <p>9 being?</p> <p>10 A. I -- I'm leaving Fargo.</p> <p>11 Q. You are. Okay. Where are you moving to?</p> <p>12 A. I wish I knew. We -- I've -- I've sold my</p> <p>13 house and I will be moving from Fargo June 1st hinged</p> <p>14 on my -- where my husband selects a position.</p> <p>15 Q. Okay. I see. And we don't know a location,</p> <p>16 what city or state that is yet?</p> <p>17 A. No. It's between --</p> <p>18 Q. Okay.</p> <p>19 A. -- a handful.</p> <p>20 Q. And I assume that's not going to be somewhere</p> <p>21 else in North Dakota?</p> <p>22 A. No, it's not.</p> <p>23 Q. Okay. All right.</p> <p>24 And -- and just with your husband -- I mean, he</p> <p>25 was a departing physician from Sanford, right?</p> |

| | |
|---|---|
| <p style="text-align: right;">Page 70</p> <p>1 A. Correct.</p> <p>2 Q. Did you ever see a copy of the letter that was</p> <p>3 sent relating to his departure?</p> <p>4 A. I did not.</p> <p>5 Q. All right.</p> <p>6 MR. WHEELER: I do not have any further</p> <p>7 questions for you. Mr. Raiter might.</p> <p>8 MR. RAITER: I do not. We will read and</p> <p>9 sign.</p> <p>10 MR. WHEELER: Okay. Thank you very much</p> <p>11 for your time this afternoon.</p> <p>12 THE WITNESS: Thank you.</p> <p>13 THE VIDEOGRAPHER: We're going off the</p> <p>14 record at 3:29 p.m.</p> <p>15</p> <p>16 (The deposition was concluded at 3:29 p.m.)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 72</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 March 8, 2023</p> <p>7 To: Mr. Raiter</p> <p>8 Case Name: Friederichs, M.D., Matthew G. v. Sanford Health</p> <p>9 Veritext Reference Number: 5755417</p> <p>10 Witness: Brittany Sachdeva Deposition Date: 2/20/2023</p> <p>11 Dear Sir/Madam:</p> <p>12 Enclosed please find a deposition transcript. Please have the witness</p> <p>13 review the transcript and note any changes or corrections on the</p> <p>14 included errata sheet, indicating the page, line number, change, and</p> <p>15 the reason for the change. Have the witness' signature notarized and</p> <p>16 forward the completed page(s) back to us at the Production address</p> <p>17 shown</p> <p>18 above, or email to production-midwest@veritext.com.</p> <p>19 If the errata is not returned within thirty days of your receipt of</p> <p>20 this letter, the reading and signing will be deemed waived.</p> <p>21 Sincerely,</p> <p>22 Production Department</p> <p>23</p> <p>24</p> <p>25 NO NOTARY REQUIRED IN CA</p> |
| <p style="text-align: right;">Page 71</p> <p>1</p> <p>2 REPORTER'S CERTIFICATE</p> <p>3 STATE OF MINNESOTA)</p> <p>4) ss.</p> <p>5 COUNTY OF CLAY)</p> <p>6 I hereby certify that I reported the remote</p> <p>7 videotaped deposition of Brittany Sachdeva on Monday,</p> <p>8 February 20, 2023, and that the witness was by me</p> <p>9 first duly sworn to tell the whole truth;</p> <p>10</p> <p>11 That the testimony was transcribed by me and is</p> <p>12 a true record of the testimony of the witness;</p> <p>13 That the cost of the original has been charged</p> <p>14 to the party who noticed the deposition, and that all</p> <p>15 parties who ordered copies have been charged at the</p> <p>16 same rate for such copies;</p> <p>17</p> <p>18 That I am not a relative or employee or</p> <p>19 attorney or counsel of any of the parties, or a</p> <p>20 relative or employee of such attorney or counsel;</p> <p>21</p> <p>22 That I am not financially interested in the</p> <p>23 action and have no contract with the parties,</p> <p>24 attorneys, or persons with an interest in the action</p> <p>25 that affects or has a substantial tendency to affect</p> <p>my impartiality;</p> <p>That the right to read and sign the deposition</p> <p>by the witness was preserved.</p> <p>WITNESS MY HAND AND SEAL THIS 7th day of March,</p> <p>2023.</p> <p><u>Christina Pucaw</u></p> <p>Christina Pucaw, Notary Public, CRC</p> <p>Notary Public, Clay County, Minnesota</p> <p>My commission expires January 31, 2027</p> | <p style="text-align: right;">Page 73</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT REFERENCE NO: 5755417</p> <p>4 CASE NAME: Friederichs, M.D., Matthew G. v. Sanford Health</p> <p>5 DATE OF DEPOSITION: 2/20/2023</p> <p>6 WITNESS' NAME: Brittany Sachdeva</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter.</p> <p>12</p> <p>13 Date _____</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed.</p> <p>23</p> <p>24 I have affixed my name and official seal</p> <p>25 this _____ day of _____, 20_____.</p> <p>_____ Notary Public</p> <p>_____ Commission Expiration Date</p> |

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2 ASSIGNMENT REFERENCE NO: 5755417

3 CASE NAME: Friederichs, M.D., Matthew G. v. Sanford Health
DATE OF DEPOSITION: 2/20/2023

4 WITNESS' NAME: Brittany Sachdeva

5 In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.

7 I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
8 well as the reason(s) for the change(s).

9 I request that these changes be entered
as part of the record of my testimony.

10

11 I have executed the Errata Sheet, as well
as this Certificate, and request and authorize
that both be appended to the transcript of my
12 testimony and be incorporated therein.

13 _____
Date Brittany Sachdeva

14

15 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
16 and acknowledge that:

17 They have read the transcript;
They have listed all of their corrections
18 in the appended Errata Sheet;
They signed the foregoing Sworn
19 Statement; and
Their execution of this Statement is of
20 their free act and deed.

21 I have affixed my name and official seal
22 this _____ day of _____, 20____.

23 _____
Notary Public

24

25 _____
Commission Expiration Date

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1 ERRATA SHEET
VERITEXT LEGAL SOLUTIONS MIDWEST

2 ASSIGNMENT NO: 5755417

3 PAGE/LINE(S) / CHANGE /REASON

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____
Date Brittany Sachdeva

21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____

22 DAY OF _____, 20____.

23 _____
Notary Public

24

25 _____
Commission Expiration Date

20 (Pages 74 - 75)

[00008 - actively]

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[bachelor's - certificate]

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[correct - deposition]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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